

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 97-3715

Joyce A. Martin,

Appellant,

v.

Kenneth S. Apfel, Commissioner of the
Social Security Administration,

Appellee.

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Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: March 13, 1998
Filed: March 25, 1998

Before BOWMAN and MORRIS SHEPPARD ARNOLD, Circuit Judges, and
NANGLE, District Judge.¹

PER CURIAM.

Joyce Martin, seeking Social Security disability benefits, appeals from the order of the District Court² granting the Commissioner's motion for summary judgment and

¹The Honorable John F. Nangle, United States District Judge for the Eastern District of Missouri, sitting by designation.

²The Honorable Jerry W. Cavaneau, United States Magistrate Judge for the Eastern District of Arkansas, presiding with the consent of the parties in accordance with 28 U.S.C. § 636(c).

dismissing Martin's case. Having considered the record and the parties' briefs and oral arguments in this appeal, we conclude that (1) the decision of the Administrative Law Judge (ALJ) that Martin was not disabled within the meaning of the Social Security Act at any time through the date of the ALJ's decision is supported by substantial evidence on the record as a whole and (2) the ALJ did not err in failing to develop the record with respect to a possible mental impairment inasmuch as Martin, who was represented by counsel, did not do anything sufficient to bring a claim of mental impairment to the attention of the ALJ.

The judgment of the District Court sustaining the Commissioner's denial of benefits is

AFFIRMED. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.